

REMARKS-General

1. The newly drafted independent claims 34 and 49 incorporate all structural limitations of the original claims 1 and 19 and include further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 34-63 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

Regarding to Rejection of Claims 1-15 and 19-30 under 35USC102

2. Pursuant to 35 U.S.C. 102, "a person shall be entitled to a patent unless:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

3. In view of 35 U.S.C. 102(b), it is apparent that a person shall not be entitled to a patent when his or her invention was patent in this country more than one year prior to the date of the application for patent in the United States.

4. However, the Drozt patent and the instant invention are not the same invention according to the fact that the independent claim 1 of the Drozt patent does not read upon the instant invention and the independent claims 34 and 49 of the instant invention do not read upon the Drozt patent too. Apparently, the instant invention, which discloses an automobile sunshade, should not be the same invention as the Drozt patent which discloses a flexible window screen.

5. Drozt fails to anticipate the distinctive features of:

(i) in claims 34 and 49, the sunshade is detachably mounting at a window frame of a vehicle by means of **resilient force**, wherein Drozt merely discloses, in column 3, lines 41-44, a window screen 20 is mounted within the guide channel located centrally within the window frame 14. In fact, the sunshade is adapted to mount at the window frame even there is no guide channel at the window frame. Therefore, the sunshade of the instant invention is totally different from the window screen of Drozt.

(ii) in claims 34 and 49, “a fabric shelter, is adapted to **block heat radiation**, is made of material adapted to be **seen through** from one side of the fabric shelter to another side thereof” is claimed to mount at the window frame, wherein Drozt merely teaches, in column 3, lines 46-47, a window screen 20 which permits the flow air into and out of the passenger compartment. In other words, the window screen of Drozt cannot block the heat radiation entering into the vehicle. The applicant respectfully submits the window screen of Drozt can only allow the air flowing from one side to another side, however, the window screen of Drozt cannot block the heat radiation and cannot be seen through from one side to another side.

(iii) Drozt does not mention any “quadrilateral shaped retention frame having at least **two resilient retention portions** spacedly mounted along a peripheral edge of the fabric shelter and **two resilient cornering holders in a diagonal manner**” as claimed in claims 34 and 49.

(iv) in claims 34 and 49, “each of the resilient cornering holders has an **attachment angle larger than a corresponding interior angle** of the window frame” is claimed to particularly point out the structural configuration of the retention frame, wherein Drozt never mentions any relationship between the attachment angle and the interior angle. In fact, Drozt discloses the window screen sized and shaped identical as the window frame as shown in Fig. 5.

(v) in claims 34 and 49, “the resilient retention portions of the retention frame is deformed until **the attachment angles match with the interior angles** of the window frame respectively” is claimed to apply an urging force against corners of the window frame of the vehicle, wherein Drozt merely teaches, in column 4, lines 41-43, gripping the tabs 34, 36, the screen may be moved into the guide channel of the window frame.

(vi) Drozt does not teach “the **two resilient cornering holders are formed diagonally for mounting at two diagonal acute angled corners** of the window frame respectively” as claimed in claims 35 and 50 in addition to what is claimed in claims 34 and 49 as a whole.

(vii) Drozt does not teach “**the resilient retention portions of the retention frame are provided at the resilient cornering holders** respectively for fitting at the interior

angles of the window frame" as claimed in claims 36-37 and 51-52 in addition to what is claimed in claims 34 and 49 as a whole.

(viii) Drozt does not teach "a plurality of non-resilient retention arms extended from the resilient retention portions ends to ends to form a loop boundary, wherein the retention arms retain the fabric shelter in shape while only the resilient retention portions provide said urging force for biasing against the corners of the window frame respectively" as claimed in claims 38-39 and 53-54 in addition to what is claimed in claims 34 and 49 as a whole. Drozt merely teaches an endless loop resilient frame member connected to the mesh screening.

(ix) Drozt does not teach "resilient retention arms integrally extended from the resilient retention portions ends to ends to form a boundary loop" as claimed in claims 40-41 and 55-56 in addition to what is claimed in claims 34 and 49 as a whole. Drozt merely teaches an endless loop resilient frame member connected to the mesh screening, wherein the resilient frame member has a shape identical to the shape of the window frame. The boundary loop of the instant invention has a shape different from the shape of the window frame.

(x) Drozt does not teach "the fabric shelter is made of heat blocking material that allows a certain amount of sunlight entering into the vehicle" as claimed in claims 42-45 and 57-60 in addition to what is claimed in claims 34 and 49 as a whole. As it is mentioned above, the window screen of Drozt merely allows the air flowing from one side to another side, which does not contain heat blocking ability.

6. The applicant respectfully submits that Drozt fails neither suggest nor anticipate the above distinctive features (i) to (x) as claimed in the claims 34-44 and 49-59. Accordingly, Drozt is not a qualified prior art of the instant invention and should be removed from the prior art list of the instant invention.

Response to Rejection of Claims 16-18 and 31-33 under 35USC103

7. The Examiner rejected claims 16-18 and 31-33 over Drozt in view of Mitchell et al.

8. Pursuant to 35 U.S.C. 103: "(a) A patent may not be obtained thought the invention is **not identically** disclosed or described as set forth in **section 102 of this title**, if the **differences** between the subject matter sought to be patented and the prior art are such that the **subject matter as a whole would have been obvious** at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

9. In view of 35 U.S.C. 103(a), it is apparent that to be qualified as a prior art under 35USC103(a), the prior art must be cited under 35USC102(a)~(g) but the disclosure of the prior art and the invention are not identical and there are one or more differences between the subject matter sought to be patented and the prior art. In addition, such differences between the subject matter sought to be patented **as a whole** and the prior art are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

10. In other words, the differences between the subject matter sought to be patent as a whole of the instant invention and Drozt which is qualified as prior art of the instant invention under 35USC102(b) are obvious in view of Mitchell et al at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

11. However, as recited above, Drozt merely discloses a window screen mounted within the guide channel located centrally within the window frame 14 and allows the flow air into and out of the passenger compartment without any mention of any heat blocking ability or see through ability. Drozt never mentions any resilient corning holder having an attachment angle in relation to the interior angle of the window frame.

12. In other words, Drozt does not disclose how the window screen mounted to the window frame by resilient force and the difference between the shape of the retention frame and the shape of the window frame.

13. Therefore, the difference between Drozt and the instant invention as claimed in claims 34 to 63 is not limited to the disclosure of “resilient frame member”, but includes the above distinctive features (i) to (x). In addition, regarding to claims 34 to 36, the instant invention further contains the following distinctive feature:

(xi) “a positioning split formed at a mid-portion of a longitudinal edge of the fabric shelter, wherein the retention frame is extended along the positioning split of the fabric shelter while one of the resilient retaining portions of the retention frame is provided at the positioning split to selectively adjust a width of the positioning split” is claimed in claims 46-48 and 61-63 in addition to what is claimed in claims 34 and 49 as a whole.

14. Mitchell et al merely discloses a taper area 135 on the perimeter 112 of the flexible fabric sheet 200 without any mention of any retention frame extending along the positioning split of the fabric shelter.

15. Accordingly, the applicant believes that neither Drozt nor Mitchell et al, separately or in combination, suggest or make any mention whatsoever of the difference subject features (i) to (xi) as claimed in the amended claims 34 to 63 of the instant invention.

16. Applicant believes that for all of the foregoing reasons, all of the claims are in condition for allowance and such action is respectfully requested.

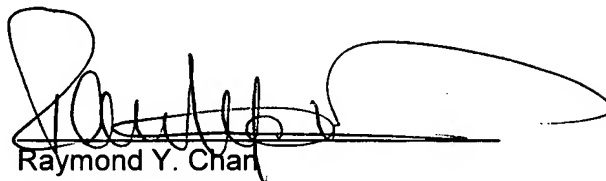
The Cited but Non-Applied References

17. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

18. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 34-63 at an early date is solicited.

19. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

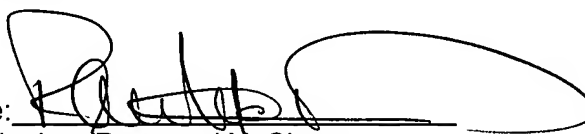


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